

**ADDENDUM TO THE FACT SHEET
FOR NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PERMIT NO. WA0040738**

I. GENERAL INFORMATION

Facility: Western Wood Preserving Company
1313 Zehnder Street
Sumner, WA 98390

II. APPLICATION REVIEW

Western Wood Preserving Company (WWPC) submitted an application to the Department of Ecology (Ecology) on June 27, 2008, followed by a second submittal on August 13, 2008 for permit reissuance. Ecology accepted the application on August 22, 2008. Ecology has sufficiently reviewed the application, discharge monitoring reports, and other facility information in enough detail to ensure that:

- WWPC has made progress to control copper violations. The facility has shown they can comply with their existing copper limits after they switched their copper-based preservative formulation in combination with increased best management practice measures. WWPC largely met all other permit requirements.
- Ecology has up-to date information on the facility's waste treatment practices; and the nature, content, volume, and frequency of its discharge.
- Ecology is requiring WWPC to conduct a Mixing Zone and Water Quality Analysis Study as a new requirement to this permit reauthorization. WWPC must complete this study by **December 31, 2011**. Ecology determined that the method used previously to calculate dilution factors based solely on storm water drainage basin areas are, for the most part, not conservative enough. In the case of WWPC, the previous analysis did not consider the ambient concentrations of pollutants or contributions from other sources. A Mixing Zone Study will provide Ecology with the information to determine if mixing conditions during critical conditions in the White River would be more restrictive. The Water Quality Analysis portion of the study would collect ambient data on the White River and/or the storm water drainage basin to determine the concentration of pollutants that WWPC can discharge and still meet Water Quality Standards.
- Ecology will incorporate the results of the Study and change the permit limits as necessary when it reissues the permit or during the permit term as a permit modification. Ecology recognizes that WWPC needs some time to collect additional data on their discharge since they switched to a new copper-based preservative formulation.

III. PERMIT REAUTHORIZATION

When Ecology **reauthorizes** a discharge permit, Ecology essentially reissues the permit with the existing limits, terms and conditions. Alternatively, when Ecology **renews** a permit it re-evaluates the impact of the discharge on the receiving water, which may lead to changes in the limits, terms and conditions of the permit.

This fact sheet addendum accompanies the permit, which Ecology proposes to reauthorize for the discharge of wastewater to the White River. The previous fact sheet explains the basis for the discharge limitations and conditions of the reauthorized permit and remains as part of the administrative record.

Ecology reviewed inspections and assessed compliance of the facility's discharge with the terms and conditions in the previous permit and determined that WWPC is a good candidate for permit reauthorization. Ecology determined it does not need to change the existing permit discharge limits and monitoring at this time. The previous fact sheet addressed conditions and issues at the facility at the time when Ecology first issued the permit in 2004. Ecology modified the permit in 2005 to update the language in S2.A for clarifications about monitoring requirements. Since the modification of the existing permit, Ecology has not received any additional information, which indicates that environmental impacts from the discharge warrant a complete renewal of the permit. The accompanying reauthorized permit is virtually identical to the previously modified permit issued on February 15, 2005 with the exception that the facility must also complete a Mixing Zone and Water Quality Analysis Study and must use the test methods included in Appendix A.

The permit reauthorization process, allows Ecology to reissue permits in a timely manner and minimize the number of active permits that have passed their expiration dates. For permit reissuance planning purposes, Ecology follows a system of ranking that considers the benefit gained by renewing a permit rather than reauthorizing a permit during its annual permit planning process. Ecology assesses each permit that is expiring and due for reissuance and compares it with other permits due for reissuance. Ecology notifies the public and seeks input after it has tentatively established the initial draft ranking of the permits it plans to renew and those it plans to reauthorize. Ecology considers all relevant comments and suggestions before it makes a final decision.

Ecology carried over the discharge limits and conditions in effect at the time of expiration of the previous permit to this reauthorized permit. Ecology adjusted the dates for the other standard compliance and submittal requirements from the past permit into this reauthorized permit. Ecology considered these reports necessary in the previous permit and no information has come forward to cause it to reconsider. Ecology also included a new Appendix A in the reauthorized permit which provides testing methods, detection limits, and method reporting limits that are required for testing as part of the permit renewal application and for routine permit compliance monitoring. Ecology also revised Special Condition S2—Monitoring Requirements to conform to the specifications provided in the new Appendix A table.

Ecology must public notice the availability of the draft reauthorized permit at least 30 days before it reissues the permit [Washington Administrative Code (WAC) 173-220-050]. Ecology invites you to review and comment on its decision to reauthorize the permit (see Appendix A-Public Involvement for more detail on the Public Notice procedures). After the public comment period has closed, Ecology will prepare a response to comments document that it will attach to this fact sheet addendum. The response to comments will include the resultant changes to the permit and either address each comment individually or summarize the substantive comments and respond. Ecology sends a copy of the response to comments to all parties who submitted comments. Ecology will include the response to comments in this fact sheet addendum.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

Ecology proposes to reissue this permit for a period of five years.

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to Western Wood Preserving Company. The permit includes wastewater discharge limits and other conditions. This fact sheet addendum describes the facility and Ecology's reasons for reauthorizing the permit conditions. Ecology placed a Public Notice of Application on June 9, 2008, and June 16, 2008, in the *Tacoma News Tribune* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice of Draft on June 15, 2010, in the *Tacoma News Tribune* to inform the public and to invite comment on the proposed draft National Pollutant Discharge Elimination System permit and fact sheet addendum.

The Notice –

Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (a local public library, the closest Regional or Field Office, posted on our website.).

Offers to provide the documents in an alternate format to accommodate special needs.

Urges people to submit their comments, in writing, before the end of the Comment Period

Tells how to request a public hearing of comments about the proposed NPDES Permit.

Explains the next step(s) in the permitting process.

Ecology has published a document entitled **Frequently Asked Questions about Effective Public Commenting** which is available on our website at <http://www.ecy.wa.gov/biblio/0307023.html>.

You may obtain further information from Ecology by telephone, **360-407-6280**, or by writing to the permit writer at the address listed below.

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

APPENDIX B – RESPONSE TO COMMENTS

Western Wood Preserving Company (WWPC) Response to Comments

Ecology received comments from WWPC, in a letter dated July 14, 2010, during the Public Review and Comment period of the draft permit. WWPC's comments and Ecology's responses are provided below:

1. Comment

The public announcement published in the Tacoma News Tribune states that "...a draft permit has been developed which would allow the discharge of treated industrial wastewater from Wood Preserving to the White River."

WWPC has never treated nor discharged industrial wastewater. This draft permit applies and has always applied to the untreated, intermittent storm water discharged to the City of Sumner storm system, and eventually to the White River. WWPC discharges no industrial wastewater, and never has.

1. Response

Thank you for your comment. Ecology agrees with your statement and apologizes for the erroneous statement.

2. Comment

The addendum to the Fact Sheet, page 2, states "Ecology carried over the discharge limits and conditions in effect at the time of expiration of the previous permit to this reauthorized permit." This needs to be reflected in two areas:

- a) The copper storm water effluent limit for both Outfalls 001 & 002 in our current permit is 127 µg/L. Per telephone conversations with John Diamant, our Industrial Facility Manager, we were assured that existing limits and conditions would be carried over to the reauthorized permit. This needs to be reflected in this draft permit. Conclusive and extensive justification for this is also included in the Fact Sheet.
- b) In the current permit, the City Outfall is not being sampled. After sampling the City Outfall from approximately 1994 to 2004, it was determined by Ecology that this data is inconclusive, as storm water from WWPC only constitutes approximately up to 5% of the total volume discharged at this outfall. Therefore, sampling was not required from Oct. 2004 to present in the current permit. The Mixing Zone and Water Quality Analysis Study required in this new draft permit will most effectively determine dilution factors and ambient concentrations, over sampling the City Outfall. Therefore, we support the Mixing Zone and Water Quality Analysis Study over sampling the City Outfall.

2. Response

- a) Ecology agrees that the intention of the permit was to maintain the 127 µg/L limit as issued previously. This limit will be reassessed after the Mixing Zone and Water Quality Analysis Study is completed. Ecology has verified that the previous permit establishes the 127 µg/L limit. Therefore the copper permit limit for Outfalls 001 & 002 has been revised to 127 µg/L in the accompanying permit.

- b) Ecology agrees with WWPC's comment about continued monitoring of the City Outfall. Ecology has verified that the City Outfall monitoring is no longer required in the previous permit. Therefore, monitoring requirements for the City Outfall have been removed from the accompanying permit.